

Mailing Number: 171799
Mailing Date: April 25, 2006

Patent Application No. 2002-568406
Date Drafted: April 21, 2006
Examiner: Tatsushi ONODA 3117 3P00
Attorney: Kenzo HARA (and 2 others)
Provisions Applied: Section 29(2), Section 37

TRANSLATION OF NOTICE OF REASONS FOR REFUSAL

This application is refused for the reasons set forth below. If the applicant has any comments on this Office Action, a response should be filed within 3 months from the mailing date of this Action.

Reasons

(Reason 1)

The invention described in the application in reference to claims listed below could easily have been made, prior to the filing of the patent application, by a person with ordinary skill in the art to which the invention pertains, on the basis of an invention or inventions described in the below publication distributed in Japan or elsewhere or inventions made available to the public through electric communication line prior to the filing of the patent application. Therefore, the patent is

not granted according to Section 29(2) of the Japanese Patent Law.

Remarks (See List for References Cited and Applications)

· Claims 1-6

· References 1 and 2

· Note:

References 1 and 2 disclose methods for forming a pattern for a semiconductor device, wherein etching is repeatedly performed using a mask, and the mask is removed by CMP. Therefore, by applying the method to an arbitrary memory, a person with ordinary skill in the art could have easily conceived of the invention of the subject application.

(Reason 2)

The subject application does not comply with Section 37 of the Japanese Patent Law as below.

Remarks

The inventions set forth in Claims 1-6 of the subject application solve no common problem that had not been solved. Therefore, the inventions set forth in Claims 1-6 do not have the relationship set forth in Section 37 (1) of

the Japanese Patent Law.

Each invention set forth in Claims 1-6 of the subject application is different in main part. Therefore, the inventions in Claims 1-6 do not have the relationship set forth in Section 37(2) of the Japanese Patent Law.

Moreover, each invention does not fall in any relationships set forth in Section 37(3), Section 37(4), and Section 37(5) of the Japanese Patent Law.

- 1) If you make amendments in the specification, amended parts should be underlined (Enforcement regulations of the Patent Law Form 13 Remark 6).
- 2) If you make amendments, you should be aware that the amendments do not include a new matter. In your Argument, please indicate paragraphs/drawings in the specification originally filed which support your amendments.

References Cited

1. Japanese Unexamined Patent Publication
No. 200828/2000 (Tokukai 2000-200828) $\hat{=}$ *US 6,316,329*
ber. bekannt aus US
2. Japanese Unexamined Patent Publication
No. 86393/1985 (Tokukaihei 7-86393)

Search Report for Prior Art Documents

Field of Search: IPC H01L 21/304

DB Name

Any inquiry about this Notice of Reasons for Refusal
or a request for an interview should be directed to:

Second Patent Examination Department

Special Working Machinery Subdivision

Tatsushi ONODA

Tel: 03-3581-1101 (ext. 3364)